

# COMMITTEE STATEMENT

## LB 1286

HEARING DATE: February 2, 2000

COMMITTEE ON: Natural Resources

TITLE: (Kremer, Baker, Dickey, Hudkins, Jones, Stuhr, Tyson, Wehrbein) Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act

### ROLL CALL VOTE – FINAL COMMITTEE ACTION

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Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

#### Vote Results:

8	Yes	Senators Bromm, Bruning, Hudkins, Jones, Kremer, Preister, Schrock, Stuhr
0	No	
0	Present, not voting	
0	Absent	

PROPOSERS	REPRESENTING
Senator Bob Kremer	Introducer
Steve Nelson	Nebraska Farm Bureau
Troy Bredenkamp	Nebraska Cattlemen
OPPOSERS	REPRESENTING
Kirk Nelson	Game and Parks Commission
Tom Lanz	Nebraska Council of Sportsmens Clubs
Dave Sands	Audubon Nebraska
Buffalo Bruce	Western Nebraska Resources Council; Nebraska Sierra Club
Pat Knapp	Nebraska Sierra Club
Wes Sheets	Nebraska Division of the Izaak Walton League of America
Bob Thomas	Nebraska Chapter of the American Fisheries Society
NEUTRAL	REPRESENTING
None	

#### SUMMARY OF PURPOSE AND/OR CHANGES:

Sections 1 and 2: Technical language to include the provisions of LB 1286.

## COMMITTEE STATEMENT

Section 3: Requires the secretary of the Game and Parks Commission to grant an exemption from the Nongame and Endangered Species Conservation Act for state agency action if there are no reasonable or prudent alternatives available and if it is in the public interest.

Section 4: (1) Allows the exemption so long as the jeopardy is incidental and does not allow any jeopardy below the baseline requirement.

(2) Requires the baseline to be mutually agreed upon by the secretary and any state agency seeking the exemption. The baseline must maintain existing conditions for the species.

(3) Allows the agreement insofar as it relates to specific species to be applied to future actions without further consultation with the commission prior to such actions being taken.

(4) Requires the secretary to negotiate safe harbor agreements with the Department of Water Resources on pending applications.

(5) Requires the commission to adopt rules and regulations regarding safe harbor legislation.

Section 5: Repealer.

EXPLANATION OF AMENDMENTS, IF ANY:

None

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Senator Ed Schrock, Chairperson